

STATE OF ARIZONA
FILED

MAY 10 2004

DEPT OF INSURANCE
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STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

JAMES ALAN BAUMANN,

Respondent.

Docket No. 04A-036-INS

CONSENT ORDER

On March 18, 2004, the Arizona Department of Insurance (the "Department") issued a Notice of Hearing in the matter of James Alan Baumann ("Baumann"). Baumann wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consent to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent, James Alan Baumann is currently, and was at all times material, licensed as an accident, health and life insurance producer in the State of Arizona, license number 101656. That license expires on October 31, 2004.

2. On May 22, 2002, the Office of the Securities Commissioner of Kansas filed a criminal complaint charging Baumann with a severity level 6 nonperson felony defined as unlawful acts in connection with the offer, sale or purchase of securities; a severity level 7 nonperson felony defined as unlawful sale of unregistered securities; and a severity level 7 nonperson felony defined as transacting business as a broker-dealer or agent without registration.

3. On September 12, 2002, Baumann filed an Arizona Insurance License Renewal Application. Part II, Question E (5) and (6) of the September, 2002 application asks:

Are any civil, administrative, judicial or quasi-judicial proceedings of any kind, including any criminal proceedings in which an indictment, criminal complaint or information has been issued naming you as defendant, currently pending against you in any jurisdiction based on any of the following:

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3. Baumann may re-apply for a license after the license suspension has concluded. This administrative action shall not be used as a basis for denial, however, the Department reserves its right to deny a license application based upon any other grounds enumerated at A.R.S. § 20-295(A).

DATED AND EFFECTIVE this 10th day of May, 2004.


CHRISTINA URIAS, Director
Arizona Department of Insurance

CONSENT TO ORDER

1. Respondent Baumann has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.


2. Respondent Baumann admits the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consent to the entry of the foregoing Conclusions of Law and Order.

3. Respondent Baumann is aware of his right to notice and a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent Baumann irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.

4. Respondent Baumann states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to him to induce him to enter into this Consent Order, and that he has entered into this Consent Order voluntarily.

5. Respondent Baumann acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against him and does not preclude any other agency, officer or subdivision of this state from instituting civil or criminal proceedings as may be appropriate now or in the future.

Date 5/10/04

By 
James Alan Baumann

1 COPY of the foregoing mailed this
2 10th day of May, 2004, to:

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